

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Bertha E. Edwards,

Plaintiff,

v.

Kilolo Kijakazi, Acting Commissioner of the
Social Security Administration,

Defendant.

C/A No. 0:21-389-PJG

ORDER

Plaintiff seeks an award of attorney's fees pursuant to the Equal Access to Justice Act ("EAJA") in the amount of \$7,500.00 and costs in the amount of \$402.00. (ECF No. 42); see 28 U.S.C. § 2412. The motion was accompanied by a statement of hours and expenses by Plaintiff's attorney which supports the motion. Defendant filed a response indicating that she does not object to the amount requested by Plaintiff. (ECF No. 43.)

The court has reviewed the motion, as well as the supporting underlying documentation, and finds that the total fee request, hours expended, and hourly rates are reasonable and authorized under applicable law. See *Grisbrecht v. Barnhart*, 535 U.S. 789, 796 (2002).

Accordingly, it is

ORDERED that Plaintiff be granted attorney's fees pursuant to the EAJA in the amount of \$7,500.00 and costs be granted in the amount of \$402.00.¹ EAJA fees awarded by this court belong to Plaintiff and are subject to offset under the Treasury Offset Program (31 U.S.C. § 3716(c)(3)(B) (2006)). In the event Plaintiff has no present debt subject to offset and Plaintiff has executed a proper assignment to Plaintiff's counsel, Defendant is directed to make the payment

¹ Costs are paid from the Judgment Fund by the Department of the Treasury rather than by Agency funds. See 28 U.S.C. §§2412(c)(1).

due to Plaintiff's counsel. If Plaintiff has no debt subject to offset and no proper assignment has been made by Plaintiff to counsel, Defendant is directed to make the check due pursuant to this Order payable to Plaintiff and delivered to Plaintiff's counsel.

IT IS SO ORDERED.

May 11, 2022
Columbia, South Carolina



Paige J. Gossett
UNITED STATES MAGISTRATE JUDGE